

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

Serenity Alpha, LLC, et al

No. 19-CV-501 (TJM/CFH)

vs.

Northway Mining, LLC, et al.

ORDER TO STRIKE

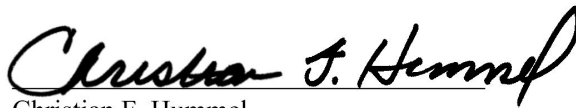
IT IS HEREBY ORDERED, that the 2nd Amended Complaint , DKT #37 in the above-entitled action shall be stricken from the docket for the following reason(s) listed below. Because Plaintiff's submission is being stricken from the docket, it will not be considered by the Court.

1. Plaintiff's submission is not in the proper form. Any motion to amend or supplement must be accompanied by an affidavit (see L.R. 7.1(a)(2)). Furthermore, "[a]n unsigned copy of the proposed amended pleading must be attached to a motion brought under Fed. R. Civ. P. 14, 15, 19-22." L.R. 7.1(a)(4). This proposed amended pleading must be a complete pleading, which will supersede the original pleading in all respect. Id. Plaintiff's proposed amended pleading shall not incorporate by reference any portion of any prior pleading. Id.

As was discussed at the 4/20/2020 status conference, any such motion, with attached affidavit and proposed amended pleading, must be filed **on or before April 30, 2020** . Defendants response deadline is set for **5/8/2020**.

SO ORDERED,

DATED: April 20, 2020
Albany, NY


Christian F. Hummel
U.S. Magistrate Judge